

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

FAROUK SYSTEMS, INC.

§

Plaintiff,

§

v.

§

CIVIL ACTION NO. 4:08-cv-1872

ZOONDA SUPPLY a/k/a ZOONDA a/k/a
ZOONDA DISTRIBUTOR SUPPLY;
MOR ENTERPRISES; MAOR
MELLOUL, an individual; MORDECHAI
ELAZAR, an individual; JOHN AND
JANE DOES 1-15; and XYZ CORPS. 1-
15,

§

Defendants.

§

AGREED FINAL JUDGMENT AND PERMANENT INJUNCTION

On this date, this Agreed Final Judgment and Permanent Injunction ("Judgment") was presented to the Court as agreed by Defendants ZOONDA SUPPLY a/k/a ZOONDA a/k/a ZOONDA DISTRIBUTOR SUPPLY; MOR ENTERPRISES; MAOR MELLOUL, an individual; MORDECHAI ELAZAR, an individual (collectively "Defendants") and Plaintiff Farouk Systems, Inc. Having considered the parties agreement to this Judgment, it is hereby ORDERED, ADJUDGED, and DECREED that:

1. The Court has subject matter jurisdiction over this matter and personal jurisdiction over Defendants.
2. The Court shall retain jurisdiction over Defendants for purposes of interpretation and enforcement of this provisions of this Judgment, including any future questions of its violation or infringement by Defendants.

3. Defendants and their affiliates, agents, and any other persons acting for, with by, through, under or in active concert or participation with them, are permanently enjoined and restrained from:

- a. Using Plaintiff's trademarks and trade names as defined in Plaintiff's Complaint (collectively, "CHI Marks"); or any reproduction, counterfeit, copy, or colorable imitation of the CHI Marks, alone or in combination with any word or words that so resemble each said trademark as to be likely to cause confusion, deception, or mistake, on or in connection with the import, export, manufacture, distribution, advertisement, promotion, offer for sale and/or sale of products which are not genuine products of Plaintiff, or in any manner likely to cause others to believe that goods bearing counterfeit reproductions of the CHI Marks ("Counterfeit Products") are connected with Plaintiff or are Plaintiff's genuine products bearing the CHI Marks; and
- b. Passing off, inducing or enabling others to sell or pass off any hair irons or other goods that are not Plaintiff's genuine merchandise as and for Plaintiff's genuine merchandise; and
- c. Committing any other acts calculated to cause purchasers or prospective purchasers to believe that Defendants' Counterfeit Products are Plaintiff's genuine merchandise unless they are such; and
- d. Shipping, delivering, holding for sale, distributing, returning, transferring or otherwise moving, storing or disposing of in any manner Counterfeit Products or other items falsely bearing the CHI Marks or any reproduction, counterfeit, copy or colorable imitation of same; and

- e. Removing or otherwise disposing of any computer tapes or disks, business records or documents in Defendants' possession relating in any way to the manufacture, acquisition, purchase, distribution, import, export, offer for sale or sale of Counterfeit Products; and
4. It is further ORDERED that any Counterfeit Products seized from Defendants or otherwise provided by Defendants to Plaintiff shall be released to Plaintiff; and
5. It is further ORDERED that this Judgment is binding on Defendants, their representatives, successors, and assigns; and
6. It is finally ORDERED that the bond posted by Plaintiff is hereby released.
7. It is finally ORDERED that all other relief prayed for by Plaintiff (including an accounting; attorneys' fees; court costs; and actual, punitive, and statutory damages) not expressly ordered by this Agreed Final Judgment and Permanent Injunction is hereby denied.

SIGNED AND ENTERED this 25th day of March, 2009, at Houston,

Texas.

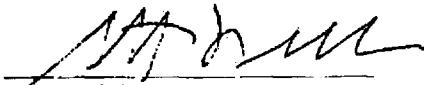

UNITED STATES DISTRICT COURT JUDGE

APPROVED AS TO FORM AND SUBSTANCE:

GREENBERG TRAURIG LLP


Ben D. Tobor
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MOR ENTERPRISES, MAOR MELLOUL,
AND MORDECHAI ELAZAR